

City of San Diego Complaint and Grievance Procedure Under The Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the City of San Diego will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of San Diego does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The City of San Diego will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of San Diego’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of San Diego will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of San Diego offices, even where animals are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of San Diego should contact the department offering the program, service or activity directly or Disability Services at (619)236-5979 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of San Diego to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden upon the City.

Complaints: Complaints that a program, service or activity of the City of San Diego is not accessible to persons with disabilities should be directed to Susan Madison, Disability Services Coordinator.

The City of San Diego will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

This Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of San Diego. The City's Personnel Policy governs employment-related complaints of disability discrimination.

A complaint can be made in writing, by phone, by TTY, or by email and must contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. The complaint should be submitted by the complainant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Susan Madison
Disability Services Coordinator
1200 Third Avenue, Suite 1300
MS 56C
San Diego, CA 92101
619-236-5979
disability@sandiego.gov

Within 10 calendar days after receipt of the complaint, Susan Madison or her designee will forward the complaint to the appropriate department for resolution. Within 7 calendar days the responding department will assign a staff person to the complaint, and forward his/her name and contact information, in writing, to Disability Services.

Susan Madison, her designee, and/or the department will then respond in writing within 30 days to both Disability Services and the complainant with a Plan of Action. The response will be provided in a format accessible to the complainant (e.g. large print, Braille, electronic version, etc...). Included in the response will be options for the substantive resolution of the complaint.

Grievance: If the response by Susan Madison or her designee is not satisfactory to the complainant, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to Judy von Kalinowski, Deputy Director, Human Resources Dept.

Within 15 calendar days after receipt of the appeal, Judy von Kalinowski will confer with the complainant to discuss the complaint and possible resolution(s). Within 15 calendar days after the meeting, Ms. von Kalinowski will respond in writing, and, when appropriate, in a format accessible to the complainant, with a final resolution of the grievance.

All written complaints received by Susan Madison or her designee, appeals to Judy von Kalinowski and related responses will be retained by the City of San Diego for at least three years.